

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MAUI JIM, INC., an Illinois Corporation)	
)	Case No. 1:16-cv-09788
Plaintiff,)	
)	District Judge Marvin E. Aspen
v.)	Magistrate Judge Jeffrey T. Gilbert
)	
SMARTBUY GURU ENTERPRISES, a)	
Cayman Island Company, MOTION)	
GLOBAL LTD., a Hong Kong Company,)	
SMARTBUYGLASSES SOCIETÁ A)	
RESPONSABILITÀ LIMITATA, an)	
Italian Company, SMARTBUYGLASSES)	
OPTICAL LIMITED, a Hong Kong)	
company,)	
)	
Defendants.)	

**DEFENDANTS’ MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF MOTION
TO EXCLUDE SURVEY AND TESTIMONY OF BRIAN M. SOWERS UNDER SEAL**

Pursuant to Local Rules 5.8 and 26.2, Defendants SmartBuy Guru Enterprises, Motion Global Ltd., SmartBuyGlasses Societá a Responsabilitá Limita, and SmartBuyGlasses Optical Limited (collectively, “SmartBuyGlasses”) hereby move this Court for an order permitting them to file under seal Defendants’ Reply in Support of Motion to Exclude Survey and Testimony of Brian M. Sowers. In support, SmartBuyGlasses states as follows:

1. On October 25, 2017, this Court entered an Agreed Confidentiality Order (“Confidentiality Order”) pertaining to the protection of confidential information produced in the course of discovery in this case. (ECF 51.)

2. Pursuant to Paragraph 5(c) of the Confidentiality Order, the parties and their counsel are prohibited from disclosing or permitting “the disclosure of any Confidential

Information to any third person or entity,” excepting, among others, this Court, witnesses at depositions, and the parties’ experts.

3. Paragraph 7 of the Confidentiality Order provides that the Order “does not, by itself, authorize the filing of any document under seal. Any party wishing to file a document designated as Confidential Information in connection with a motion, brief, or other submission to the court must comply with LR 26.2.”

4. SmartBuyGlasses seeks leave to file under seal the above-referenced reply brief, which it provisionally filed under seal, because it contains material designated as confidential under the Confidentiality Order.

WHEREFORE, SmartBuyGlasses respectfully moves this Court for an order granting it leave to file Defendants’ Reply In Support of Motion to Exclude Survey and Testimony of Brian M. Sowers under seal.

Dated: August 20, 2019

Respectfully submitted,

SMARTBUY GURU ENTERPRISES, MOTION
GLOBAL LTD., SMARTBUYGLASSES
SOCIETÀ A RESPONSABILITÀ LIMITATA,
SMARTBUYGLASSES OPTICAL LIMITED

By: /s/ Stephen J. Rosenfeld
One of their attorneys

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that, on August 20, 2019, a true and correct copy of the foregoing document was served via the Court's CM/ECF system on all counsel of record.

/s/ Stephen J. Rosenfeld